

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

Zohar III, Corp., *et al.*<sup>1</sup>

Debtors.

Chapter 11

Case No. 18-10512 (KBO)

Jointly Administered

BLANK ROME LLP, FFP (CAYMAN)  
LIMITED, MAPLES AND CALDER  
MAPLESFS LIMITED, MORRIS,  
NICHOLS, ARSHT & TUNNEL LLP,  
GARY NEEMS, and QUINN EMANUEL  
URQUHART & SULLIVAN LLP,

Plaintiffs,

v.

ZOHAR CDO 2003-1 CORP. and  
ZOHAR CDO 2003-1 LIMITED,

Defendants

Adv. Proc. No. 19-50273 (KBO)

**ZOHAR CDO 2003-1, LIMITED; ZOHAR  
II 2005-1, LIMITED; and ZOHAR III,  
LIMITED,**

**Plaintiffs,**

**v.**

**PATRIARCH PARTNERS, LLC;  
PATRIARCH PARTNERS VIII, LLC;  
PATRIARCH PARTNERS XIV, LLC;  
PATRIARCH PARTNERS XV, LLC;  
PHOENIX VIII, LLC; OCTALUNA LLC;  
OCTALUNA II LLC; OCTALUNA III  
LLC; ARK II CLO 2001-1, LLC; ARK  
INVESTMENT PARTNERS II, LP; ARK**

**Adversary No. 20-50534 (KBO)**

<sup>1</sup> The Debtors, and, where applicable, the last four digits of each of their respective tax identification numbers are, as follows: Zohar III, Corp., (9612), Zohar II 2005-I, Corp. (4059), Zohar CDO 2003-1, Corp., (3724), Zohar III, Limited (9261), Zohar II 2005-1, Limited (8297), and Zohar CDO 2003-1, Limited (5119). The Debtors' address is 3 Times Square, c/o FTI Consulting, Inc., New York, NY 10036.

**ANGELS VII, LLC; PATRIARCH  
PARTNERS MANAGEMENT GROUP,  
LLC; PATRIARCH PARTNERS AGENCY  
SERVICES, LLC; and LYNN TILTON,**

**Defendants.**

**NOTICE OF AMENDED<sup>2</sup> AGENDA OF MATTERS SCHEDULED  
FOR TELEPHONIC HEARING ON APRIL 21, 2020 AT 1:30 P.M. (ET)<sup>3</sup>**

**PLEASE NOTE THAT AT THE DIRECTION OF THE COURT, THE HEARING  
TIME HAS BEEN CHANGED FROM 10:00 A.M. (ET) TO 1:30 P.M. (ET)**

**ADJOURNED/RESOLVED MATTERS**

1. Interim Fee Application of the Debtors' Professionals for Period from December 1, 2019 – February 29, 2020 [D.I. 1481; 3/11/20]

Related Documents:

- A. Certification of Counsel Regarding Proposed Order Approving Interim Fee Application of the Debtors' Professionals for the Period from December 1, 2019 through February 29, 2020 [D.I. 1544; 3/31/20]
- B. Order Approving Interim Fee Application of the Debtors' Professionals for the Period from December 1, 2019 through February 29, 2020 [D.I. 1549; 4/1/20]

Response Deadline: March 26, 2020 at 4:00 p.m. (ET)

Responses Received: None

Status: An order has been entered by the Court. No hearing is required.

2. Motion of Patriarch for Entry of an Order Authorizing Filing of Brief Under Seal [D.I. 1490; 3/16/20]

Related Documents:

- A. Lynn Tilton's Post-Trial Brief in Support of Motion of Lynn Tilton For Approval of Timeline and Guidelines Regarding Monetization of the Group A Portfolio Companies [(SEALED) D.I. 1492; 3/16/20; (REDACTED) D.I. 1528; 3/26/20]

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<sup>2</sup> All amendments appear in bold.

<sup>3</sup> All parties wishing to participate should make arrangements through CourtCall at 1-866-582-6878.

B. Certificate of No Objection [D.I. 1545; 3/31/20]

C. Order Authorizing Filing of Brief Under Seal [D.I. 1550; 4/1/20]

Response Deadline: March 30, 2020 at 4:00 p.m. (ET)

Responses Received: None

Status: An order has been entered by the Court. No hearing is required.

3. Motion of Patriarch for Entry of an Order Authorizing Filing of Declaration Under Seal [D.I. 1493; 3/16/20]

Related Documents:

A. Declaration of Lynn Tilton in Support of Patriarch's Post-Trial Brief in Support of Motion of Lynn Tilton For Approval of Timeline and Guidelines Regarding Monetization of the Group A Portfolio Companies [(SEALED) D.I. 1495; 3/16/20; (REDACTED) D.I. 1529; 3/26/20]

B. Certificate of No Objection [D.I. 1546; 3/31/20]

C. Order Authorizing Filing of Declaration Under Seal [D.I. 1551; 4/1/20]

Response Deadline: March 30, 2020 at 4:00 p.m. (ET)

Responses Received: None

Status: An order has been entered by the Court. No hearing is required.

4. Debtors' Motion for Entry of an Order Authorizing Filing of the Post-Trial Brief Under Seal [D.I. 1494; 3/16/20]

Related Documents:

A. Joint Post-Trial Brief of the Debtors and the Independent Director for the Debtors [(SEALED) D.I. 1491; 3/16/20; (REDACTED) D.I. 1504; 3/23/20]

B. Notice of Hearing [D.I. 1565; 4/7/20]

C. Certificate of No Objection [D.I. 1586; 4/15/20]

D. Order Authorizing Filing of the Post-Trial Brief Under Seal [D.I. 1603; 4/17/20]

Response Deadline: April 14, 2020 at 4:00 p.m. (ET)

Responses Received: None

Status: An order has been entered by the Court. No hearing is required.

5. Motion of Patriarch for Entry of an Order Authorizing Filing of Objection Under Seal [D.I. 1522; 3/26/20]

Related Documents:

- A. Patriarch Stakeholders' Limited Objection to the Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring That the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1523; 3/26/20; (REDACTED) D.I. 1576; 4/15/20]
- B. Certificate of No Objection [D.I. 1581; 4/15/20]
- C. Order Authorizing Filing of Objection Under Seal [D.I. 1587; 4/16/20]

Response Deadline: April 14, 2020 at 4:00 p.m. (ET)

Responses Received: None

Status: An order has been entered by the Court. No hearing is required.

6. Motion of Patriarch for Entry of an Order Authorizing Filing of Declaration Under Seal [D.I. 1524; 3/26/20]

Related Documents:

- A. Declaration of Lynn Tilton in Support of Patriarch Stakeholders' Limited Objection to the Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring That the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1525; 3/26/20; (REDACTED) D.I. 1577; 4/15/20]
- B. Certificate of No Objection [D.I. 1582; 4/15/20]
- C. Order Authorizing Filing of Declaration Under Seal [D.I. 1588; 4/16/20]

Response Deadline: April 14, 2020 at 4:00 p.m. (ET)

Responses Received: None

Status: An order has been entered by the Court. No hearing is required.

7. Motion of Patriarch for Entry of an Order Authorizing Filing of Supplement Under Seal [D.I. 1532; 3/26/20]

Related Documents:

- A. Patriarch Stakeholders' Supplement to Limited Objection to the Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring That the Debtors Control the Portfolio Companies and Granting Related Relief

[(SEALED) D.I. 1531; 3/26/20; (REDACTED) D.I. 1578; 4/15/20]

B. Certificate of No Objection [D.I. 1583; 4/15/20]

C. Order Authorizing Filing of Supplement Under Seal [D.I. 1589; 4/16/20]

Response Deadline: April 14, 2020 at 4:00 p.m. (ET)

Responses Received: None

Status: An order has been entered by the Court. No hearing is required

8. Debtors' Motion, Pursuant to Section 105(a) of The Bankruptcy Code and Bankruptcy Rule 9019, for an Order Approving and Authorizing the Stipulation of Settlement By and Among the Debtors, Blank Rome LLP, FFP (Cayman) Limited, Maples and Calder, MaplesFS Limited, Morris, Nichols, Arsht & Tunnel LLP, Gary Neems, Quinn Emmanuel Urquhart & Sullivan LLP, and Cohen & Gresser LLP [Adv. Case No. 19-50273 D.I. 19; 10/30/19]

Related Documents:

A. Re-Notice of Motion [Adv. Case No. 19-50273 D.I. 20; 11/1/19]

B. Re-Notice of Motion [Adv. Case No. 19-50273 D.I. 35; 12/4/19]

Response Deadline: December 12, 2019 at 4:00 p.m. (ET)

Responses Received:

- C. Objection of Patriarch to the Debtors' Motion for an Order Approving and Authorizing the Stipulation of Settlement By and Among the Debtors, Blank Rome LLP, FFP (Cayman) Limited, Maples and Calder, MaplesFS Limited, Morris, Nichols, Arsht & Tunnel LLP, Gary Neems, Quinn Emmanuel Urquhart & Sullivan LLP, and Cohen & Gresser LLP [Adv. Case No. 19-50273 D.I. 26; 11/13/19]

Status: This matter is adjourned to a date and time to be determined.

9. Pretrial Conference for Adversary Case No. 20-50534

Related Documents:

A. Complaint [Adv. Case No. 20-50534 D.I. 1/2; 3/9/20]

B. Summons and Notice of Pretrial Conference in an Adversary Proceeding [Adv. Case No. 20-50534 D.I. 3; 3/9/20]

C. Order Authorizing Filing of the Complaint Under Seal [Adv. Case No. 20-50534 D.I. 11; 4/1/20]

- D. Order Approving Stipulation Extending Deadlines to Answer or Respond to Complaints [Adv. Case No. 20-50534 D.I. 13; 4/9/20]

Response Deadline: August 15, 2020

Responses Received: None as of this date

Status: This matter is adjourned to a date and time to be determined.

### **MATTERS GOING FORWARD**

10. Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1505; 3/23/20; (REDACTED) [D.I. 1599](#); 4/16/20]

Related Documents:

- A. Supplement to Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1526; 3/26/20; (REDACTED) D.I. TBD; TBD]
- B. Order Granting in Part Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [[D.I. 1542](#); 3/30/20]
- C. Second Supplement to the Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1566; 4/7/20; (REDACTED) [D.I. 1597](#); 4/16/20]
- D. Declaration of Lynn Tilton in Support of Patriarch Stakeholders' Objection to the Second Supplement to the Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1572; 4/14/20; (REDACTED) [D.I. 1609](#); 4/20/20]
- E. Motion of Patriarch for Entry of an Order Authorizing Filing of Objection Under Seal [[D.I. 1573](#); 4/14/20]
- F. Motion of Patriarch for Entry of an Order Authorizing Filing of Declaration Under Seal [[D.I. 1574](#); 4/14/20]
- G. Debtors' Motion for Entry of an Order Authorizing the Filing of Portions of Second Supplement to Emergency Motion Under Seal [[D.I. 1598](#); 4/16/20]
- H. Supplemental Declaration of Michael Katzenstein in Further Support of Second Supplement to the Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1605; 4/17/20; (REDACTED) [D.I.](#)

**1623; 4/20/20]**

Response Deadline:

April 14, 2020 at 4:00 p.m. (ET)

Responses Received:

- I. Patriarch Stakeholders' Objection to the Second Supplement to the Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1571; 4/14/20; (REDACTED) **D.I. 1608; 4/20/20]**
- J. Debtors' Motion for an Order Granting Debtors Leave and Permission to File Reply in Support of Second Supplement to PC Control Motion [(SEALED) D.I. 1604; 4/17/20; (REDACTED) **D.I. 1622; 4/20/20]**

**Additional Documents:**

- K. **Debtors' Motion for Entry of an Order Authorizing the Filing of Portions of (I) Debtors Reply in Support of Second Supplement to PC Control Motion and (II) Supplemental Declaration of Michael Katzenstein in Further Support of Second Supplement Under Seal [D.I. 1621; 4/20/20]**

Status:

This matter is going forward solely with respect to the relief identified in the Second Supplement (Item No. C).

- 11. Debtors' Motion for Entry of an Order Authorizing Filing of Portions of Emergency Motion and Related Motion to Shorten Under Seal [[D.I. 1507](#); 3/23/20]

Related Documents:

- A. Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1505; 3/23/20; (REDACTED) [D.I. 1599](#); 4/16/20]
- B. Debtors' and Independent Director's Joint Motion for an Order Pursuant to Bankruptcy Rule 9006-1(e) Shortening the Notice Period for the Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1506; 3/23/20; (REDACTED) [D.I. 1600](#); 4/16/20]

Response Deadline:

April 7, 2020 at 4:00 p.m. (ET)

Responses Received:

- C. Informal response from U.S. Trustee

Status:

This matter is **adjourned to a date and time to be determined.**

12. Patriarch Stakeholders' Motion to Amend the Court's March 30, 2020 Order [(SEALED) D.I. 1553; 4/2/20; (REDACTED) [D.I. 1579](#); 4/15/20]

Related Documents:

- A. Certification of Counsel Regarding Proposed Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [[D.I. 1540/1541](#); 3/27/20/3/30/20]
- B. Order Granting in Part Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [[D.I. 1542](#); 3/30/20]
- C. Motion of Patriarch for Entry of an Order Authorizing Filing of Motion Under Seal [[D.I. 1552](#); 4/1/20]
- D. Motion of Patriarch for Entry of an Order Authorizing Filing of Declaration Under Seal [[D.I. 1554](#); 4/2/20]
- E. Declaration of Joseph M. Barry in Support of the Debtors' Objection to the Patriarch Stakeholders' Motion to Amend the Court's March 30, 2020 Order [(SEALED) D.I. 1575; 4/14/20 (REDACTED) [D.I. 1610](#); 4/20/20]
- F. Declaration of Lynn Tilton in Support of Patriarch Stakeholders' Motion to Amend the Court's March 30, 2020 Order [(SEALED) D.I. 1555; 4/2/20; (REDACTED) [D.I. 1580](#); 4/15/20]
- G. Declaration of Lynn Tilton in Support of Patriarch Stakeholders' Reply in Support of Motion to Amend the Court's March 30, 2020 Order [(SEALED) D.I. 1593; 4/16/20; (REDACTED) [D.I. 1618](#); 4/20/20]
- H. Exhibits to Patriarchs' Reply in Support of Motion to Amend the Court's 30, 2020 Order [(SEALED) D.I. 1601; 4/17/20; (REDACTED) [D.I. 1617](#); 4/20/20]

Response Deadline:

April 14, 2020 at 4:00 p.m. (ET)

Responses Received:

- I. Debtors' Objection to the Patriarch Stakeholders' Motion to Amend the Court's March 30, 2020 Order [(SEALED) D.I. 1570; 4/14/20; (REDACTED) [D.I. 1610](#); 4/20/20]
- J. Patriarch Stakeholders' Reply in Support of Motion to Amend the Court's March 30, 2020 Order [(SEALED) D.I. 1592; 4/16/20; (REDACTED) [D.I. 1617](#); 4/20/20]

Additional Documents:



**K. Debtors' Motion for Entry of an Order Authorizing Filing of Portions of Debtors' Objection to the Patriarch Stakeholders' Motion to Amend the Court's March 30, 2020 Order and Related Declaration Under Seal [D.I. 1612; 4/20/20]**

**L. Motion of Patriarch for Entry of an Order Authorizing Filing of Reply Under Seal [D.I. 1619; 4/20/20]**

**M. Motion of Patriarch for Entry of an Order Authorizing Filing of Declaration Under Seal [D.I. 1620; 4/20/20]**

Status: This matter is going forward.

13. Debtors' Motion for Entry of an Order Authorizing the Filing of Portions of Second Supplement to Emergency Motion Under Seal [[D.I. 1598](#); 4/16/20]

Related Documents:

- A. Second Supplement to the Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1566; 4/7/20; (REDACTED) [D.I. 1597](#); 4/16/20]

Response Deadline: April 21, 2020 at 1:30 p.m. (ET)

Responses Received: None of this date

Status: This matter is going forward.

**ADDITIONAL MATTERS:**

14. **Debtors' Motion for Entry of an Order Authorizing Filing of Portions of Debtors' Objection to the Patriarch Stakeholders' Motion to Amend the Court's March 30, 2020 Order and Related Declaration Under Seal [D.I. 1612; 4/20/20]**

**Related Documents:**

- A. **Debtors' Objection to the Patriarch Stakeholders' Motion to Amend the Court's March 30, 2020 Order [(SEALED) D.I. 1570; 4/14/20; (REDACTED) D.I. 1610; 4/20/20]**

- B. **Declaration of Joseph M. Barry in Support of the Debtors' Objection to the Patriarch Stakeholders' Motion to Amend the Court's March 30, 2020 Order [(SEALED) D.I. 1575; 4/14/20 (REDACTED) D.I. 1610; 4/20/20]**

Response Deadline: April 21, 2020 at 1:30 p.m. (ET)

Responses Received: None of this date

**Status:** This matter is going forward.

15. Debtors' Motion for Entry of an Order Authorizing the Filing of Portions of (I) Debtors Reply in Support of Second Supplement to PC Control Motion and (II) Supplemental Declaration of Michael Katzenstein in Further Support of Second Supplement Under Seal [D.I. 1621; 4/20/20]

**Related Documents:**

- A. Debtors' Motion for an Order Granting Debtors Leave and Permission to File Reply in Support of Second Supplement to PC Control Motion [Docket No. 1566] [(SEALED) D.I. 1604; 4/17/20; (REDACTED) D.I. 1622; 4/20/20]
- B. Supplemental Declaration of Michael Katzenstein in Further Support of Second Supplement to the Debtors' and Independent Director's Joint Emergency Motion for Entry of an Order Declaring that the Debtors Control the Portfolio Companies and Granting Related Relief [(SEALED) D.I. 1605; 4/17/20; (REDACTED) D.I. 1623; 4/20/20]

**Response Deadline:** April 21, 2020 at 1:30 p.m. (ET)

**Responses Received:** None of this date

**Status:** This matter is going forward.

Dated: April 21, 2020  
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Ryan M. Bartley

James L. Patton, Jr. (No. 2202)

Robert S. Brady (No. 2847)

Michael R. Nestor (No. 3526)

Joseph M. Barry (No. 4221)

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